GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2561
ANSWERED ON:08.12.2006
HINDU MARRIAGE ACT,1955
Murmu Shri Hemlal

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court has suggested to amend Hindu Marriage Act, 1955 with a view to add grounds for divorce;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

Answer

MINISTER OF THE LAW AND JUSTICE (SHRI H.R. BHARDWAJ)

(a) to (c) Irretrievable breakdown of marriage is not a ground fordivorce under the Hindu Marriage Act, 1955. The Supreme Court in Navin Kohli Vs. Neelu Kohli J.T.2006(3) SC 491 held that because of the change of circumstances and for covering a large number of cases where the marriages are virtually dead and unless this concept is pressed into service, the divorce cannot be granted. The Court further observed that in our considered opinion the legislature must consider irretrievable breakdown of marriage as a ground for grant of divorce under the Hindu Marriage Act, !955- The proposed amendment in the Hindu Marriage Act, 1955 requires consultation with various persons/bodies.